

# **EXHIBIT H**

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

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CISCO SYSTEMS, INC.,

Plaintiff,

v.

ARISTA NETWORKS, INC.,

Defendant.

Case No. 5-14-CV-05344-BLF

**DEFENDANT ARISTA NETWORKS,  
INC.'S RESPONSE TO PLAINTIFF  
CISCO SYSTEMS, INC.'S FIRST SET OF  
REQUESTS FOR PRODUCTION  
(NOS. 1-84)**

1 documents containing proprietary, confidential, and/or private information. Arista objects to this  
 2 request to the extent that it seeks documents subject to the attorney-client privilege, work product  
 3 immunity, or any other applicable privilege or immunity. Arista further objects to the request to  
 4 the extent it seeks information that is already in the possession, custody, or control of Cisco.

5 Subject to and without waiving the foregoing general and specific objections, Arista  
 6 responds as follows: Arista is willing to meet and confer with Cisco regarding the scope and  
 7 relevance of this request.

8 **REQUEST FOR PRODUCTION NO. 26:**

9 Documents sufficient to identify the U.S. release dates of each Accused Product.

10 **RESPONSE TO PRODUCTION NO. 26:**

11 Arista incorporates its General Objections above as though set forth in this response.  
 12 Arista also objects to this request as vague, ambiguous, overbroad, unduly burdensome, and not  
 13 reasonably calculated to lead to the discovery of admissible evidence. It is vague and ambiguous  
 14 in its use of the term “Accused Product.” The request also overlaps with or duplicates other  
 15 discovery requests, including Cisco’s First Set of Interrogatories. Arista further objects to this  
 16 request to the extent that it attempts or purports to require disclosure of information and/or  
 17 documents containing proprietary, confidential, and/or private information. Arista objects to this  
 18 request to the extent that it seeks documents subject to the attorney-client privilege, work product  
 19 immunity, or any other applicable privilege or immunity. Arista further objects to the request to  
 20 the extent it seeks information that is already in the possession, custody, or control of Cisco.

21 Subject to and without waiving the foregoing general and specific objections, Arista  
 22 responds as follows: Arista is willing to meet and confer with Cisco regarding the scope and  
 23 relevance of this request.

24 **REQUEST FOR PRODUCTION NO. 27:**

25 Documents sufficient to identify the time period during which each Accused Product was  
 26 sold or offered for sale in the U.S.

27 **RESPONSE TO PRODUCTION NO. 27:**

28 Arista incorporates its General Objections above as though set forth in this response.

1 Arista also objects to this request as vague, ambiguous, overbroad, unduly burdensome, and not  
 2 reasonably calculated to lead to the discovery of admissible evidence. It is vague and ambiguous  
 3 in its use of the term “Accused Product.” The request also overlaps with or duplicates other  
 4 discovery requests, including Cisco’s First Set of Interrogatories. Arista further objects to this  
 5 request to the extent that it attempts or purports to require disclosure of information and/or  
 6 documents containing proprietary, confidential, and/or private information. Arista objects to this  
 7 request to the extent that it seeks documents subject to the attorney-client privilege, work product  
 8 immunity, or any other applicable privilege or immunity. Arista further objects to the request to  
 9 the extent it seeks information that is already in the possession, custody, or control of Cisco.

10 Subject to and without waiving the foregoing general and specific objections, Arista  
 11 responds as follows: Arista is willing to meet and confer with Cisco regarding the scope and  
 12 relevance of this request.

13 **REQUEST FOR PRODUCTION NO. 28:**

14 Documents sufficient to identify the total number of units sold, the gross revenue (in U.S.  
 15 dollars), the net profits (in U.S. dollars), the profit margins (in U.S. dollars), and the costs (in U.S.  
 16 dollars) associated with each Accused Product for each yearly quarter dating back to October  
 17 2004.

18 **RESPONSE TO PRODUCTION NO. 28:**

19 Arista incorporates its General Objections above as though set forth in this response.  
 20 Arista also objects to this request as vague, ambiguous, overbroad, unduly burdensome, and not  
 21 reasonably calculated to lead to the discovery of admissible evidence, including to the extent that  
 22 this request covers a time period “dating back to October 2004,” without any indication of why  
 23 that time period is relevant. It is vague and ambiguous in its use of the term “Accused Product.”  
 24 Arista further objects to this request to the extent that it attempts or purports to require disclosure  
 25 of information and/or documents containing proprietary, confidential, and/or private information.  
 26 Arista objects to this request to the extent that it seeks documents subject to the attorney-client  
 27 privilege, work product immunity, or any other applicable privilege or immunity. Arista further  
 28 objects to the request to the extent it seeks information that is already in the possession, custody,

1 or control of Cisco.

2 Subject to and without waiving the foregoing general and specific objections, Arista  
 3 responds as follows: Arista is willing to meet and confer with Cisco regarding the scope and  
 4 relevance of this request.

5 **REQUEST FOR PRODUCTION NO. 29:**

6 Documents sufficient to correlate the internal and external name(s) and internal and  
 7 external model number(s) of each Accused Product with the quarterly sales, revenue, and profit  
 8 You obtained from each Accused Product.

9 **RESPONSE TO PRODUCTION NO. 29:**

10 Arista incorporates its General Objections above as though set forth in this response.  
 11 Arista also objects to this request as vague, ambiguous, overbroad, unduly burdensome, and not  
 12 reasonably calculated to lead to the discovery of admissible evidence. It is vague and ambiguous  
 13 in its use of the term “Accused Product.” Arista further objects to this request to the extent that it  
 14 attempts or purports to require disclosure of information and/or documents containing  
 15 proprietary, confidential, and/or private information. Arista objects to this request to the extent  
 16 that it seeks documents subject to the attorney-client privilege, work product immunity, or any  
 17 other applicable privilege or immunity. Arista further objects to the request to the extent it seeks  
 18 information that is already in the possession, custody, or control of Cisco.

19 Subject to and without waiving the foregoing general and specific objections, Arista  
 20 responds as follows: Arista is willing to meet and confer with Cisco regarding the scope and  
 21 relevance of this request.

22 **REQUEST FOR PRODUCTION NO. 30:**

23 All Communications, Documents, Source Code, and Things Concerning the statement in  
 24 Your Answer, that “Arista’s products would be driven by a completely new operating system,  
 25 developed from scratch, that offered a fresh, open, programmable and modular architecture in  
 26 contrast to the closed, proprietary systems used by legacy vendors such as Cisco.”

27 **RESPONSE TO PRODUCTION NO. 30:**

28 Arista incorporates its General Objections above as though set forth in this response.

1 PROOF OF SERVICE  
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3 I am employed in the City and County of San Francisco, State of California in the office of a  
4 member of the bar of this court at whose direction the following service was made. I am over the  
age of eighteen years and not a party to the within action. My business address is Keker & Van  
Nest LLP, 633 Battery Street, San Francisco, CA 94111-1809.

5 On April 30, 2015, I served the following document(s):

6 • **DEFENDANT ARISTA NETWORKS, INC.'S RESPONSES TO PLAINTIFF  
7 CISCO SYSTEMS, INC.'S FIRST SET OF REQUESTS FOR PRODUCTION  
(NOS. 1-84)**

8  by **E-MAIL VIA PDF FILE**, by transmitting on this date via e-mail a true and correct copy  
9 scanned into an electronic file in Adobe "pdf" format. The transmission was reported as  
10 complete and without error.

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1 Executed on April 30, 2015, at San Francisco, California.

2 I declare under penalty of perjury under the laws of the State of California that the above is true  
3 and correct.

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5 */s/ Alisa Thompson*  
6 Alisa Thompson  
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